

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11cv169**

SONIA FOGGIE,

Plaintiff,

Vs.

**HUNTINGTON ASSET MANAGEMENT,
CORP.,**

Defendant.

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ORDER

THIS MATTER is before the court on periodic docket review. On December 13, 2011, default was entered by the Clerk of this Court (#6). Since that time, plaintiff has taken no action to seek entry of default judgment. Plaintiff shall move for entry of default judgment within 14 days or this case will be dismissed for want of prosecution. Rule 42(b), Federal Rules of Civil Procedure, provides as follows:

If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it. Unless the dismissal order states otherwise, a dismissal under this subdivision (b) and any dismissal not under this rule — except one for lack of jurisdiction, improper venue, or failure to join a party under Rule 19 — operates as an adjudication on the merits.

Fed.R.Civ.P. It is plaintiff's burden to move this case forward, and plaintiff will be required to take appropriate action within the next 14 days by moving for entry of default judgment or filing a Rule 41 notice of voluntary dismissal.

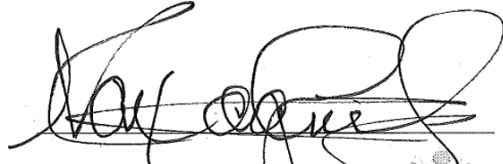
**FAILURE TO TAKE ACTION WITHIN 14 DAYS WILL RESULT IN
DISMISSAL OF ALL CLAIMS AGAINST DEFENDANT WITHOUT
PREJUDICE.**

ORDER

IT IS, THEREFORE, ORDERED that within 14 days of entry of this Order, plaintiff shall move for entry of default judgment or file a Rule 41 notice of voluntary dismissal. Absent such

filing, this action shall be dismissed without prejudice on March 16, 2012.

Signed: March 30, 2012



Max O. Cogburn Jr.
United States District Judge